

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE BANK OF AMERICA MORTGAGE
SERVICING SHAREHOLDER
DERIVATIVE LITIGATION

Lead Case No. 1:11-cv-02475-WHP

MASTER FILE

This Document Relates To:
ALL ACTIONS

**PLAINTIFFS' NOTICE OF
MOTION SEEKING
VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

PLEASE TAKE NOTICE that Plaintiffs American European Insurance Company, Rutgers Casualty Insurance Company, Jean Marie Cinotto, Doris Gastineau, John H. Cottrell, and Richard Delman (collectively “Plaintiffs”), by and through their undersigned counsel, respectfully move this Court for an order dismissing this action without prejudice pursuant to Fed. R. Civ. P. 41(a)(2). This motion is accompanied by Plaintiffs’ Memorandum of Law in Support of Plaintiffs’ Motion Seeking Voluntary Dismissal Without Prejudice.

WHEREFORE, Plaintiffs respectfully request that this Court enter an order substantially in the form of the [Proposed] Order of Dismissal Without Prejudice, which was filed concurrently with this motion.

Dated: New York, NY
February 3, 2012

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